10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail
,	•			ser	vice .				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny				<u> </u>					

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd F	Sa Party fac	imple Re	esponse sed for r	Form-Q eselling	uestion 1 as whole	1: esale ser	vice	
I	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny				<u></u>			<u></u>	<u> </u>	

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to T-Mobile as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of T-Mobile.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

				_	 	٦
Deployed		Fibers				
Capacity		DS3				
Capacity In-Service Capacity Deployed		Fibers				
Capacity I		DS3				
		wholly party basis from operationally owned facility BellSouth ready (Yes,				
	Dark Fiber	on IRU basis from BellSouth				
		If No, third party facility				
		Facility If wholly owned	1001 1001			
		Reporting Company	Malia			
	7.	Access to Collocation	(193,170)			
	Wire Center "Z"		CLLI COSE		j	
	8,.	Access to Collocation	(Yes, NO)			
	Wire Center "A"		CLLI Code			

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Wire Center "A"			Wire Center "Z"	
Wire Center CLLI code	Wire Center CLLI code Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	Collocation ACTL CLLI	Collocation "owner"

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

			rk Fibers		
	Capacity Deployed		DS3 Dark Fibers		-
	Capaci				
-	9.		DS3 Dark Fibers DS1		
	Capacity In-Service	_	DS3 D		
	Cape		DS1		
		Facilities	perationally ready (Yes. No)		
	Dark Eiher	IRI oo	wholly party basis from operationally owned facility BellSouth ready condor (Yes. No.)		
		if No third	party		
		Tooli k	wholly	(185, 140)	
			Reporting Company		
		Z	Access to Collocation	(168, NO)	
		Wire Center "Z"	CLU Code		
			Access to Collocation	(Ves, No)	
State:		Wire Center "A"	CLLI Code		

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		E ((; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;	n owner		_	-	
		:	Collocatio				
11.11	Wire Center 2		Wire Center CLLI code Collocation ACTL CLLI Collocation Towner				
			Wire Center CLLI code				
			ļ				
		Wire Center "A"		Collocation ACIL CLLI			
				Wire Center CLLI code Collocation ACTL CLLI			

Self-Provisioned Retall Loop Information Spreadsheet, page 1

Rep	Reporting owned (Yes, vendor No) vendor No) vendor No) vendor No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers DS3 Fibers Company Name No) region in the # Ref. DS3 Fibers Company Name No.							Dark Fiber from Can se	EVe #	Capacity	In-Service	Total Capac	ty Deployed
Rep E	Rep mpa					Facility wholly	M No. third	BellSouth on all a	at Indica	ite .			i
E C	E C	CLLI from which	CLLI from which		æ	owned (Yes,	party facility	IRU basis (Yes, locati	tion line #	Ref. DS3	Fibers	DS3	Tibers
		Zip loop extends	_	_	Company Name	(ON	Vertical	(2)					

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
Zio		
SS City		,
Customer Address	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet, page 1

							١
Posterior	Dakod		Fibers				
	Total Capacity Deployed		DS3				
•	Total C		DS1				
	8		Fibers				
	Canacity in-Service		083				
	Capax		DS1				
	Access at	echnically	feasible point	1889			
	_	# No.	Indicate ine # Ref.	782			
		San serve	all at location	(Nes, No)			
	Dack Cilhos	for for	BellSouth on all at Indicate feasible IRU basis location line # Ref., point	(Yes, No)			
			if No, third party facility	vendor			
			Facility wholly if No, third owned (Yes, party facility	(ON		,	
		-		B			
			CLLI from which Reporting	toop extends Company N			
				eg.			_
		988		Ę,			
		Customer Address	Ĺ	RSAG Valid Address	Street name and number, directional)		
ا		L	L	<u> ~</u>	<u></u>		_

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier			
Barrier to access			
Zip	1		,
į	ZIIS		
Customer Address	Address	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Teligent Services, Inc.
Corporation Service Company
2908 Poston Avenue
Nashville, TN 37203

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Teligent Services, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2/03}{}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway

Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	nple Forn	n for Res	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Re	sponse t	o Questi	on 2	-	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv		,]						

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forn	n for Re	sponse to	o Questi	on 3		
T	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>			

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		Self-pro	ample Re	esponse	Form - 0	Question ing retail	8: service		
Τ	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									l

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sa Self-pro	ample Re	esponse cilities of	Form - 0 fered on	Question wholesa	9: le basis		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>	<u> </u>		<u> </u>

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail
1	•			sen					
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny								<u> </u>	

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd F					uestion 1 as whole		vice	
T	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>		<u> </u>	

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location:
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Teligent Services, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Teligent Services, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

_	_		_	 	_	\neg	
Deployed		Fibers		 			
Capacity In-Service Capacity Deployed		DS3					
n-Service		Fibers					
Capacity 1		DS3					
		Reporting wholly party basis from operationally cowned facility BellSouth ready (Yes, No.					
	Dark Fiber	on IRU basis from BellSouth	22, 122				
		oparty facility	02104				
		Facility wholly owned	(188, NO)				
		Reporting Company	Name				
	7.	Access to Reporting Collocation Company	(163, 140)				
	Wire Center		CLLI Code				
		Access to Collocation	(Yes, No)				
	Wire Center "A"		CLLI Code				

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	ner"		
	Collocation "ow	Composition	
Wire Center "Z"	"Jollocation "Owner"	CONOCANON ACI L CLLI	
		Wire Center CLLI code	
		Mocation "owner"	
Mire Conter "A"		Wire Center CLLI code Collocation ACTL CLLI Co	
		Wire Center CLLI code	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

	pako		DS3 Dark Fibers		
	Capacity Deployed		DS3		
	Ö		DS1		
	vice		Dark Fibers		
	Capacity In-Service		DS3		
	S		DS1		
		Facilities	wholly party basis from operationally owned facility BellSouth ready	2	
	Dark Fiber	101 40	basis from BellSouth	100,100	
		M Ala shind	party facility	AGINO	
		P. C. Lillian	wholly	(185, 180)	
			Reporting Company	Name	
		7	Access to Collocation	(163, 140)	
	Total Control		CLLI Code		
			Access to Collocation	(Yes, No)	
State:		Wire Center "A"	CLLI Code		

/-

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Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

	_	_	
		Collocation "owner"	
Wire Center "Z"		Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	
		Wire Center CLLI code	
		Collocation "owner"	
	Wire Center "A"	国	
		Wire Center CI I Lode	

Self-Provisioned Retail Loop information Spreadsheet, page 1

	Canacity in Service Total Capacity Deployed	200				
	Total Capa	8	280			
	n-Service		Fibers			
	Canacity	Capada	DS3			
	H No.	Indicate	line # Ref, Pr 2			
	200		location	189, 190		
		Dark Fiber from BellSouth on	owned (Yes, party facility IRU basis (Yes, tocation line # Ref, C	(OZ	المسيد	
		K No third	party facility	vendor		
		Fooille, ucholly	owned (Yes,	<u></u>		
			Reporting	pany Na		
			CLLI from which	loop extends Corr		
				Zip		
	1	Idress		Š	_	
State:		Customer Address		SAG Valid Address	(Street name and number, directional)	

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Customer Address				Secretarion of action	
Address	Çit∕ Oit∕	Zip	Barrier to access	Steps taken to remove partie	
(Street name and number, directional)					
					_

Wholesale Loop Information Spreadsheet, page 1

Γ	T	_	10			
	200		Fibers			
	Total Capacity Deployed		DS3			
	Total		DS1			
	rice JCe		Fibers			
	Capacity In-Service		DS3			
			DS1			
	Access at	technically	feasible	E C	(VES, NO)	
		₹ No.	Indicate	line # Ref,	284	
		Can serve	SE 84	location	(Yes, No)	
	Dark Fiber	mon	Facility wholly If No, third BellSouth on all at Indicate	IRU basks	(Yes, No)	
			# No. third	party facility	vendor	
			Facility wholly	owned (Yes.	(ON	
				Reporting	Company Name	
				CLLI from which	loop extends Company N	
					ZID	
		1988			≩	
		Customer Address			RSAG Valid Address	Street name and number, directional)
State					RSAC	(Street

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
Zio		
<u>Ş</u>		
Customer Address	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Teligent, Inc.
Corporation Service Company
2908 Poston Avenue
Nashville. TN 37203

Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

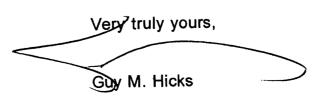
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness' designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

Teligent, Inc., Corporation Service Company, 2908 Poston Avenue, To: Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop 1. and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- All information set forth in the Attachment, "Matters upon which 2. examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

> Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway

Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

Affirm or deny that you have self-provided high capacity transport facilities 1. that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in For purposes of this question. the affirmative if you are self-providing such facilities you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	nole Form	n for Res	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny					<u> </u>				L

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sam	ple Form	n for Res	sponse t	o Questi	on 2		
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Affirm						ļ		<u> </u>	
Deny						<u> </u>		<u> L</u>	

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	ple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						ļ			
Deny		1							<u> </u>

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.

c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).

d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.

e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

f. Whether you are willing and able immediately to provide transport along the particular route.

g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;

b. The name of the carrier or company from whom you received or purchased the transport;

c. Whether you are operationally ready to provide transport using these facilities; and

d. The capacity deployed and the capacity active on the route as of September 30, 2003.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny				ļ	Ì	1			

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

						Question wholesa			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>	<u> </u>		

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	cilities le	eased for	r providir	ng retail
,	•			sen					
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	عام 1	Sa Party faci	imple Re	esponse sed for r	Form-Q eselling	uestion 1 as whole	1: esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						ļ			
Deny			_						

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
 - 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center → IXC POP ← → IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Teligent, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Teligent, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

Positive Designation	Capacity In-Service Capacity Deputy D	Facility If No, third wholly party owned facility	Name (Yes, No) vendor (Yes, No) NO)	
	Wire Center "7"	Access to Reporting Collocation Company	CLLI Code (Yes, No)	
П	-	Access to Collocation	(Yes, No)	
State:		Wire Center - A	CLLI Code	

)

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

				Wire Coster "7"	
	Wire Center "A"				
er CLLI code	Wire Center CLLI code Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	Collocation ACTL CLLI	Collocation "owner"

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

bavolus Deniovad		DS3 Dark Fibers				
vijosos	Tipe I			 	-	
		s DS1		 		
	NC9	Dark Fibers				
	Capacity In-Service	DS3				
		DS1				
	Facilities	operationally ready (Yes. No)				
	Dark Fiber	wholly party basis from operationally owned facility BellSouth ready control (Yes. No.) (Yes. No.)		 		
	F No third	party facility				
	Coolity	wholly	1109, 100			
		Reporting Company				
	.2.	Access to Collocation	(188, 140)			
	Wire Center "Z"	CLLI Code				
		Access to Collocation	(Yes, No)			
state:	Wire Center "A"	CLLI Code				

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

			Collocation Towner		
17.1	Wire Center "2"		Collocation ACTL CLLI		
			Wire Center CLLI code Collocation ACTL CLLI Collocation owner		
			Collocation "owner"		
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Wire Center A		Collocation	
			oboo I I O return or its	Wire Ceriller CLL: Wue	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

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							Dark Fiber from Can serve II No.	Can serve	, S E	Capacity	SOIN ISC		
Customer Address	ress				Footile Andh.	F No third	Relisorth on	allat	Indicate				i
			CLLJ from which	Reporting	owned (Yes,	party facility	owned (Yes, party facility IRU basis (Yes, location line # Ref.	location	line # Ref.	DS3	Fibers	DS3	Fibers
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Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier			
Barrier to access			
7.	CITY 21P		
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Wholesale Loop Information Spreadsheet, page 1

						Dark Fiber		_	Access at	Capach	Capacity in-Service	•	Total Ca	Total Capacity Deployed	E S
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Street name and number, directional)								_							
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Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
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Customer Address	Address (Street name and number, directional)	

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Tellico Telephone, Corporation Service Company, 2908 Poston Avenue, Suite 230, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance:	
	Richard Collier, General Counsel
	Tennessee Regulatory Authority
	460 James Robertson Parkway
	Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forr	n for Re	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	·								

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sam	ple Forr	n for Re	sponse t	o Questi	on 2	-	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8:											
	Self-provided facilities for providing retail service										
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny	Deny										

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis										
		Seit-pro	vided tac	cilities of	terea on	wnolesa	iie dasis			
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Denv										

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 rd Party facilities leased for providing										
				retail s	service			•	•	
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd I	Sa Party fac	ample Re	esponse used for r	Form-Queselling	uestion 2 as whole	l1: esale sei	rvice	
	AL FL GA KY LA MS NC SC TN								
Affirm									
Deny									

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth:
- e. The total active capacity and number of fiber strands deployed as of the most recent date available:
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities:
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available:
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service.

 For each customer location, identify:
 - a. The RSAG valid address of the customer location:
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Tellico Telephone as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Tellico Telephone.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications. Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Tennessee Telephone Company, Corporation Service Company, 2908 Poston Avenue, Suite 230, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance:	
	Richard Collier, General Counsel
	Tennessee Regulatory Authority
	460 James Robertson Parkway
	Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1											
AL FL GA KY LA MS NC SC T												
Affirm												
Deny	Deny											

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 2											
AL FL GA KY LA MS NC SC T												
Affirm												
Deny												

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3											
	AL FL GA KY LA MS NC SC T										
Affirm											
Deny											

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Response Form - Question 8: Self-provided facilities for providing retail service											
	AL FL GA KY LA MS NC SC TN											
Affirm												
Deny												

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sa	ample Re	esponse	Form - 0	Question	9:				
		Self-pro	vided fac	cilities of	fered on	wholesa	ale basis				
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sam	ole Resp	onse Fo	orm-Que			y facilitie	s leased	for prov	iding
				retail s	service '				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	Sample Response Form-Question 11:											
3 rd Party facilities leased for reselling as wholesale service												
	AL FL GA KY LA MS NC SC TN											
Affirm	Affirm											
Deny	Deny											

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available:
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location:
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Tennessee Telephone Company as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Tennessee Telephone Company.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

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- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc. Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

US LEC of Tennessee, Inc. CT Corporation System 530 Gay Street Knoxville, TN 37902

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: US LEC of Tennessee, Inc., CT Corporation System, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Sichard Collier

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1												
	AL FL GA KY LA MS NC SC											
Affirm												
Deny												

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC TN											
Affirm	Affirm											
Deny	Deny											

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	nple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.

c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).

d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.

e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

f. Whether you are willing and able immediately to provide transport along the particular route.

g. The capacity deployed and the capacity active on the route as of September 30, 2003.

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

C.

a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;

b. The name of the carrier or company from whom you received or purchased the transport;

Whether you are operationally ready to provide transport using these facilities; and

d. The capacity deployed and the capacity active on the route as of September 30, 2003.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail						
	AL FL GA KY LA MS NC SC TN											
Affirm												
Deny												

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm							-		
Deny				l					<u> </u>

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questio	n 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail	
service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm								<u> </u>		
Deny										

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample Response Form-Question 11: 3 rd Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny								<u> </u>	<u> </u>

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to US LEC of Tennessee, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of US LEC of Tennessee, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

Consolity Denloyed	Capacity In-Service Capacity Deproyed	DS3 Fibers	
-	II-Service	Fibers	
	Capacity	DS3	
		Facility If No, third on IRU Facilities are wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No) No)	
	i	Dark Fiber on IRU basis from BellSouth (Yes. No)	
		If No, third party facility	
		Facility If wholly owned	
	•	Reporting Company	
	"Z"	cess to	
	Wire Center "Z"	7	BROOT THO
	1.1	Access to Collocation	(168, 140)
	Wim Contor "A"		0000

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Collocation "owner"	
 Wire Center 'Z'	Collocation ACTL CLLI	
	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	
	ollocation "owner"	
Wire Center "A"	Wire Center CLLI code Collocation ACTL CLLI Co	
	Wire Center CLLI code	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

Par.			Dark Fibers				
100	Capacity Deproyed		DS3				
1	3		DS1				
	Age Se		Dark Fibers DS1				
	Capacity In-Service		DS3				
	Š		DS1		`		
		Facilities	wholly party basis from operationally owned facility BellSouth	188, 140,			
	Dark Fiber	on IRU	basis from BellSouth	(Yes, NO)	 		
		K No third	party facility	vendor			
		Toolift.	wholly	(Yes, No)			
			Reporting				
		ž	Access to Collocation	(Yes, No)			
		Wire Center "Z"	CLLI Code				
			Access to	(Yes, No)		•	
State:		Wire Center "A"	CLLI Code				

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

			Collocation owner				<u> </u>	
1411 CALLA 11711	Wire Center &		Wire Center CLLI code Collocation ACTL CLLI Collocation Owner			•		
			Wire Center CLLI code					
			Collocation "owner"					
	141 - Canton WAR	Wire Center A	=	CONDOCATION ACT & CELL				
			Special Control of the Control of th	Wire Center CLLI Code				

Self-Provisioned Retail Loop information Spreadsheet, page 1

							Dark Fiber from Can serve If No, Capacity In-Service Total Capacity Deployed	Can serve	# No.	Capacity In	Service	Total Capac	Ity Deployed
Customer Address	1000		CLLI from which	Reporting	Facility wholly owned (Yes,	If No, third party facility	Facility wholly if No, third BellSouth on all at Indicate owned (Yes, party facility IRU basis (Yes, location line # Ref.	all at location	Indicate line # Ref.	DS3	Fibers	DS3	Fibers
RSAG Valid Address	Çţ	Zlo	loop extends		(ON	vendor	(ON	(Ves, No)	Pa2				
(Street name and number, directional)													
		_											
	_												

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Cintomor Address				
	2	Zio	Barrier to access	Steps taken to remove barrier
(Street name and number, directional)	ı			

Wholesale Loop information Spreadsheet, page 1

Ciaro.													1			
							-			Annoon of	fores	Canadity in Sarvice		Total Capacity Deployed	acity Depk) ed
Customer Address	TREA						Dark Fiber	-		otherically	Tanas -		T	-		
			CLLI from which	original distribution	Facility whofly owned (Yes,	Facility whofly if No, third Bowned (Yes, party facility	BellSouth on all at Indicate feasible IRU basis location Ind# Ref. point	all at location	Indicate	feasible point	DS1		Fibers	DS1	DS3	Fibers
SAG Valid Address	City	Q.	loop extends Company	Name	<u> </u>	vendor	(Ves, No)	(SS, NO)	78	163, NO)	T	T				
Street name and number, drectonal)													-			
						_						1	1			

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Section to remove barrier	Steps taken to lengte berner		
	Barrier to access		
	σiZ		
	Customer Address City	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Verizon, Inc. CT Corporation System 530 Gay Street Knoxville, TN 37902

Re: Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

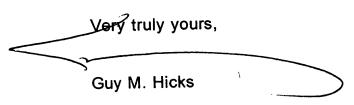
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness 'designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Verizon, Inc., CT Corporation System, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Kicherd Collier

PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		Sam	ple Forr	n for Res	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forn	n for Res	sponse to	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	nple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

			•	•		Question ing retail			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

			•	•		Question wholesa			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	cilities le	eased for	r providir	ng retail
,				ser	vice				
	AL	FL	GA .	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd F	Sa Party faci		esponse sed for r				vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Verizon, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Verizon, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

Wire Center "A" Wire Center "A" Wire Center "A" Facility Collocation (Yes, No) If No, third Collocation (Yes, No) If No, third Collocation (Yes, No) Dark Fiber Facilities are on IRU party party (Yes, No) Facilities are on IRU party party (Yes, No) Facilities are on IRU party party party (Yes, No) Passis from operationally party party (Yes, No) Passis from operationally party party party (Yes, No) Passis from operationally party passis from operationally passis from operatio	 Deployed 		Fibers	
Access to Collocation (Yes, No) CLLI Code (Yes, No) Mame (Yes, No) Reporting vendor (Yes, No) CLLI Code (Yes, No) Name (Yes, No) Vendor (Yes,	Capacity		DS3	
Access to Collocation (Yes, No) CLLI Code (Yes, No) Reporting (Yes, No) Rendor (Yes, No) Re	In-Service		Fibers	
Access to Collocation (Yes, No) CLLI Code (Yes, No)	Canacity	Z Dana		
Access to Collocation (Yes, No) CLLI Code (Yes, No)			Facilities are operationally ready (Yes,	
Access to Collocation (Yes, No) CLLI Code (Yes, No)		Dork Eiher	on IRU basis from BellSouth	(Yes, NO)
Access to Collocation (Yes, No) CLLI Code (Yes, No)			If No, third party facility	vendor
Access to Collocation (Yes, No) CLLI Code (Yes, No)			Facility wholly owned	(Yes, No)
Access to Collocation (Yes, No) CLLI Code			Reporting Company	Мате
Access to Collocation (Yes, No) CL		Z	Access to Collocation	(Yes, No)
nter "A"		Wire Center		CLLI Code
Wire Center "/			Access to Collocation	(Yes, No)
		William Contor "A		CLLI Code

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Collocation "owner"	
Wire Center "Z"	Collocation ACTL CLLI	
	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	
	Collocation "owner"	
Wire Center "A"	Wire Center CLLI code Collocation ACTL CLLI	
	Wire Center CLLI code	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

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pavo		Dark Fibers	
Canacity Deployed		DS3	
ق		DS:	
-	3	DS3 Dark Fibers	
and the Con	Capacity III-Selvice	DS3	
2	3	DS1	
		Facility If No, third on IRU Facilities wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No)	
	Dark Fiber	on IRU basis from BellSouth (Yes, No)	
		If No, third party facility vendor	
		Facility If I wholly owned (Yes, No)	
		Reporting Company Name	
		Access to Collocation (Yes, No)	
	Wire Center "Z"	CLLI Code	•
	-	Access to Collocation (Yes, No)	
	"A" anten Contain	CLLI Code	

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

7	_	_	Τ		 ٦
		Collocation "OWDAL"	Collocation		
Miles Contor "7"	Wire Center &		Collocation ACTL CLLI		
			Wire Center CLLI code Collocation ACTL CLLI		
			ocation "owner"		
		Wire Center "A"	I I I I I I I I I I I I I I I I I I I	Wire Center CLLI code Collocation Act a card	
				Wire Center CLLI code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Total Capacity Deployed		_	Fibers				
Total			SS			 	
an Sando	SILIPOLIT		Fibers				
410000	Capaci		SS				
14 91	<u></u>	Indicate	line # Ref. Pa 2			_	
	Can serve	allat	location line # R				
	Dark Fiber from Can serve III No. Capacity III Service	BollSouth on all at Indicate	owned (Yes, part facility IRU basis (Yes, location line # Ref.		_\		
		F No third	party facility	1			
		Confilte scholle	owned (Yes,				
			Reporting	Company Name			
			CLLI from which	loop extends			
				Zlp			
		dress		<u>C</u>			
		Customer Address		RSAG Valid Address	(Street name and number, directional)		

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
oiZ		
Şi		
Customer Address	(Street name and number, directional)	

Wholesele Loop Information Spreadsheet, page 1

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							Date Cilber		_	18 88 8000	Canac	Canacity in Service			I OTSII CADACIN DEMOYEU	3
Customer Address	888				_		mul mul	Can serve	f No.	chrically						
			CLLI from which Reporting		Facility wholly if No, third E owned (Yes, party facility	if No, third party facility	rd BellSouth on all at Indicate feasible	aff at location	Indicate	feasible point	PS0	DS3	Fibers	DS1	DS3	Fibers
RSAG Valid Address	CIT	ďΖ	toop extends Company Nam	죔	(<u>Q</u>	vendor	(Yes, No)	(MS, MO)		1001						
(Street name and number, directional)											<u> </u>					

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier			
Barrier to access			
Zio			
ž	2	al)	
Customer Address	Address	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Verizon Wireless Services, LLC Corporation Service Company 2908 Poston Avenue Nashville, TN 37203

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

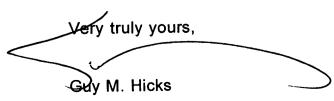
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Verizon Wireless Services, LLC, Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1										
AL FL GA KY LA MS NC SC TN										
Affirm										
Deny								<u> </u>		

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC TN										
Affirm			,								
Deny											

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm						ļ				
Deny						<u> </u>	<u> </u>	<u> </u>	L	

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.

c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).

d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.

e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

f. Whether you are willing and able immediately to provide transport along the particular route.

g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;

b. The name of the carrier or company from whom you received or purchased the transport;

c. Whether you are operationally ready to provide transport using these facilities; and

d. The capacity deployed and the capacity active on the route as of September 30, 2003.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Response Form - Question 8: Self-provided facilities for providing retail service										
	AL FL GA KY LA MS NC SC TN										
Affirm	Affirm										
Deny											

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis											
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased fo	r providir	ng retail
	•			ser					
1	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									<u> </u>
Denv									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	√d E	Sarty fac	ample Re	esponse sed for r	Form-Q eselling	uestion 1 as whole	1: esale ser	vice			
	AL	FL	GA	KY	LA	MS	NC	SC	TN		
Affirm											
Deny											

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Verizon Wireless Services, LLC as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Verizon Wireless Services, LLC.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

	B DS3 Fibers				
	Fiber				
Capacity Capacity	DS3				
	Facilities are operationally ready (Yes				
Dark Fiber	on IRU basis from BellSouth	(163,140)			
	if No, third party facility	Vendor			
	Facility wholly owned	Yes, No			
	Reporting Company	Name			
.Z.	Access to Collocation	(Yes, No)			
Wire Center		CLLI Code			
	Access to Collocation	(Yes, No)			
Wire Center "A		CLLI Code			
	Wire Center "Z"	Wire Center "Z" Facility If No, third on IRU Facilities are Access to Reporting wholly party basis from operationally Collocation Company owned facility BellSouth ready (Yes, No.)	nter "A" Wire Center "Z" Pacility (if No, third collocation (Yes, No)) Dark Fiber (Access to collocation (Yes, No)) Pacility (Acc	Access to Collocation (Yes, No) CLLI Code (Yes, No) Name (Yes, No) Access to (Yes, No) Name (Yes	Access to Collocation (Yes, No) CLLI Code (Yes, No) Access to (Yes, No) CLLI Code (Yes

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

7	No. of the case of	Wire Center CLLI code Collocation ACTL CLLI Collocation owner					
 Wire Center 2		Collocation ACT					ı
		Wire Center CLLI code					
		Collocation "owner"	١				
MAII Comes WAW	Wire Certer A	Wire Cepter CLLL code Collocation ACTL CLLI					
		Wire Center Cl 1 Londe					

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

pavol		DS3 Dark Fibers			
bevolued viloed	The state of the s	DS3			
٥	3	DS1			
	SOL MICH	Dark Fibers DS1			
	Capacity In-Service	SS			
	1	S 3			
	Facilities	Reporting wholly party basis from operationally company owned facility Bellsouth ready	201		
	Dark Fiber	basis from BellSouth	168, 140		
	e No third	party facility	Vendor		
	1	wholly	Yes, No		
		Reporting Company	Name		
		Access to Collocation	(Yes, No)		
	Wire Center "Z"	CLLI Code			
		Access to Collocation	(Yes, No)		
state:	Wire Center "A"	CLLI Code			

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		n "owner"		
		Collocation		
Wire Center "Z"		Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"		
		Wire Center CLLI code		
		llocation "owner"		
	Wire Center "A"		כטווטנים וייים בייים	
			Wire Center CLLI Code	

:

Self-Provisioned Retail Loop Information Spreadsheet, page 1

	Deployed	Fibers				
	Canacity In-Service Total Capacity Deployed	. 890				
	n-Service	1	Siedir			
	Capacity		rsa C			
	F No.	Indicate	line # Ref.			
	97.99	all at	location Yes No.			
	Control Control	BellSouth on	owned (Yes, party facility IRU basis (Yes, location line # Ref.	Con		
		f No. third	party facility	Vendor		
		Facility wholiv	owned (Yes,	(QZ		
			Reporting	Company Nam		
			CLLI from which	loop extends		
				Zlo		
_	,	dress		City		
State:	State.	Customer Address		RSAG Valid Address	(Street name and number, directional)	

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
αiZ		
Customer Address	(Street name and number, directional)	

Wholesale Loop information Spreadsheet, page 1

Facility whothy if No, third BellSouth on all at Indicate No) vendor (Yes, No) (Yes, N	
Facility whofly if No, third BeltSouth on vendor (Yes, No) Yes, No) (Yes, No) Pg 2 (Yes, No)	
Facility whofly if No, third BeltSouth on vendor (Yes, No) Yes, No) (Yes, No) Pg 2 (Yes, No)	
Facility whofly if No, third BellSouth on all at indicate feasible DS1 DS3 owned (Yes, party facility in the BellSouth on Vendor (Yes, No)	
Facility whothy if No, third BelfSouth on all at Indicate feasible DS owned (Yes, party facility No) (Yes, No) (Yes, No) Pg 2 (Yes, No)	
Facility whothy if No, third BelfSouth on aff at Indicate feasible DS owned (Yes, party facility No) (Yes, No) (Yes, No) Pg 2 (Yes, No)	
Facility whoffly if No, third owned (Yes, party facility No) vendor	
Facility whoffly if No, third owned (Yes, party facility No) vendor	
Facility whoffly if No, third owned (Yes, party facility No) vendor	
Facility whoffly if No, third owned (Yes, party facility No) vendor	
Facility whofly if No, third owned (Yes, party facility No) vendor	
•	
Reporting Company Name	
CLLI from which Reporting loop extends Company IN	
ę	
9 <u>A</u>	
Customer Address SAG Vaild Address Breet reme and number, directional)	

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
y Zip		
Customer Address Address City	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

XO Tennessee, Inc Corporation Service Company 2908 Poston Avenue Nashville, TN 37203

Re: Imr

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

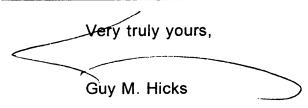
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: XO Tennessee, Inc, Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\sqrt{2/2/03}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse t	o Questi	on 1				
	AL FL GA KY LA MS NC SC TN										
Affirm						<u> </u>					
Deny					<u> </u>						

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny									<u> </u>		

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	ple Forr	n for Res	sponse t	o Questi	on 3			
AL FL GA KY LA MS NC SC TN										
Affirm										
Deny									<u> </u>	

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Response Form - Question 8: Self-provided facilities for providing retail service											
	AL FL GA KY LA MS NC SC TN											
Affirm	Affirm											
Deny												

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

			•	•		Question wholesa		-		
Self-provided facilities offered on wholesale basis AL FL GA KY LA MS NC SC TN										
Affirm										
Deny										

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	on 10: 3 rd	Party fa	acilities le	eased fo	r providir	ng retail		
				sen	/ice						
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample Response Form-Question 11:											
3 rd Party facilities leased for reselling as wholesale service											
	AL FL GA KY LA MS NC SC TN										
Affirm	Affirm										
Deny						<u> </u>	<u> </u>				

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available:
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to XO Tennessee, Inc as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of XO Tennessee, Inc.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

CLLI COGA		Wire Center "A"	State:
	Access to Collocation (Yes, No.)	-	
	CI II Code	Wire Center Z	
	Access to Collocation (Yes, No)	Ž	
	Reporting Company Name		
	Facility In wholly owned (Yes, No)		
	If No, third party facility vendor		
	on IRU basis from BellSouth (Yes, No)	Dark Fiber	
	y If No, third on IRU Facilities are y party basis from operationally d facility BellSouth ready (Yes, No) vendor (Yes, No) No)		
	DS3		Capacity In
	Fibers		-Service
	DS3		Capacity In-Service Capacity Deployed
	Fibers		Deployed

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Wire Center CLLI code	211 222			
1	Collocation	Collection ACTI CITI Collection "owner" Wire Center CLLI code	Wire Center "A"		
		Collocation "owner"			
		Wire Center CLLI code			
		Collocation ACTL CLLI Collocation owner		Wire Center "Z"	
		Collocation owner	0 =		

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

 Г			
	CLTI Code	Wire Center "A"	
(Yes, No)	Access to Collocation	ج.	
	CLLI Code	Wire Center "Z	
(100, 100)	Access to Collocation		
Name	Reporting Company		
100,140	wholly	Facility	
10.00	party facility	# No. third	
	basis from BellSouth (Yes. No)	If No, third on IRU	Dark Fiber
	wholly party basis from operationally owned facility BellSouth ready (Yes. No.) (Yes. No.)	Facilities	
	DS1		Сар
	DS3		Capacity In-Service
	DS3 Dark Fibers DS1		vice
	DS1		Car
	DS3		Capacity Deployed
	DS3 Dark Fibers		ed.

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

	Wire Center CLLI code Collocation ACTL CLLI Collocation owner vyille Center CLLI collocation owner vyille Center CLLI vyille Clli vyille Center CLLI vyille Clli vyille Clli vyille Clli vyille Clli			
	Collocation ACTL CLLI		Wire Center "A"	
	Collocation owner			
	AAll o Collect Octri Cono	Wire Center CI I I code		
		Collocation ACTL CLLI Collocation "owner"	Wire Center "Z"	
		Collocation "owner"		

RSAG Valid Address (Street name and number, directional)			Customer Address	
S C C	7		dress	
NAP unior res	loon extends	CLLI from which	<u> </u>	
	큥	Reporting		
	₹	owned (Yes, party facility IRU basis (Y	Escility wholly	
	vendor	party facility	K No. third	
	20	IRU basis (Yes,	BellSouth on	Dark Fiber from
	165, 1407	Yes, location line # Ref.	all at	rom Can serve If No.
	-	line # Ref,	Indicate	ĦNo.
		DS3		Capacity
		Fibers	!	n-Service
		Los	}	Capacity In-Service Total Capacity Deployed
		Fibers		ity Deployed

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

ne and number, directional)	Customer Address City	
	Zip	
	Barrier to access	
	Steps taken to remove barrier	

Wholesele Loop information Spreadsheet, page 1

RSAG Valid Address
(Street name and number, directional) Customer Address CLLI from which Reporting loop extends Company Name Facility wholly If No, third owned (Yes, party facility No) vendor Dark Fiber from BeilSouth on IRU basts (Yes, No) Cen serve If No.
all at Indicate
location line # Ref.
(Yes, No) Pg 2 Access at technically feasible point (Yes, No) DS1 Capacity in Service DS3 Fibers DS1 Total Capacity Deployed DS3 Fibers

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

(Street name and number, directional)	Customer Address City Zip	WIIOIBSale Loop I Cilicon
	Barrier to access	
	Steps taken to remove barrier	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Xspedius Communications CT Corporation System 530 Gay Street Knxoville, TN 37902

Re: Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

Xspedius Communications, CT Corporation System, 530 Gay Street, Knxoville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop 1. and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- All information set forth in the Attachment, "Matters upon which 2. examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

> Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2}{0.3}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway

Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1											
	AL	AL TELL CALLOY LA MC NC SC TN									
Affirm											
Deny											

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forn	n for Res	sponse t	o Questi	on 2		
T	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3										
	AL FL GA KY LA MS NC SC TN									
Affirm										
Deny										

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.

c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).

d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.

e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

f. Whether you are willing and able immediately to provide transport along the particular route.

- g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;

b. The name of the carrier or company from whom you received or purchased the transport;

c. Whether you are operationally ready to provide transport using these facilities; and

- d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail					
	AL	ALL THE CALL LOW LIA MC NC SC TN									
Affirm							<u> </u>				
Denv											

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

						Question wholesa					
	AL	FL	GA	KY	LA	MS	NC	SC	TN		
Affirm											
Deny											

Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased fo	r providir	ng retail
				sen	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

						uestion 1		_	
	3 ^{ra} F	Party faci	lities lea	sed for r	eselling	as whole	esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									<u> </u>

- For each state in Question 8 and 10 that you answered in the affirmative 12. (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - The RSAG valid address of each customer location. a.
 - The CLLI code of the CLEC switch, wire center, collocation, point of b. interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - Indicate whether the facility is wholly owned by you (Yes, No); if no, provide C. the name of the vendor from whom you have purchased all or a portion of the facilities.
 - Indicate whether the facility is provided over dark fiber you have obtained d.
 - from BellSouth on an IRU basis (Yes, No).
 Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This e. includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Xspedius Communications as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Xspedius Communications.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

CILI Code		Wire Center "A"	State:
(Yes, No)	Access to	Α.	
CLLI Code		Wire Center "Z"	
(Yes, No)	Access to Collocation	Z	
Name	Reporting		
(Yes, No)	wholly party owned facility) } 	
vendor	party facility		
169, 140/	basis from BellSouth	Dark Fiber	
	basis from operationally BeilSouth ready (Yes,	Escilities are	
	DS3		Capacity In
	Fibers		Capacity In-Service Capacity Deployed
	DS3		Capacity [
	Fibers		Seployed

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Wile Center CLLI Code Conoccanon Con	Collocation ACTI CLLI Collocation "owner" Wire Center CLLI code	Wire Center "A"
	₩-	
	Collocation ACTL CLLI Collocation owner	Wire Center "Z"
	Collocation owner	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

		CLTI Code	Wire Center "A"	State:
_	(Yes, No)	Access to Collocation	A.	
		CLLI Code	Wire Center "Z"	
	(Yes, No)	Access to Collocation	Ż	
	Name	Reporting Company		
	(Yes, No)	wholly	Facility	
	Agisoci	party facility	If No, third	
	100, 100	BellSouth	S IRU	Dark Fiber
		wholly party basis from operationally owned facility BellSouth ready (Yes. No.) (Yes. No.)	Facilities	
		DS1		Сар
		DS3		Capacity In-Service
		Dark Fibers	!	vice
		5	} 	Cap
		5	<u></u>	Capacity Deployed
			Desk Fibers	Ved.

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		Wire Center "Z"	
Wire Center "A"			O-IItion "ownor"
Collocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI Collocation Owner	COllocation Owner
Wire Center CLLI code Collocation ACT CCL			

(Street name and number, directional)		_		Customer Address	State:
·	City Zip			953	
	loop extends Company Ivalia	CLLI from which	-		
	ompany Ivalia	Naporus	Deporting O	TI D	
		N .	med (Yes.		
		vendor	party facility	T No, third	
		No.	IRU basis (Yes,	Facility wholly If No, third BellSouth on	Dark Fiber from Can serve If No.
	•	(Yes, No)	Cation	all at	Can serve
		F9 X	ne # 7ei,	Indicate	T No.
			8	3	Capacity In-Service
				<u>n</u>	lacksquare
	_		-	DS3	Total Capacity Dep
				Fibers	y Deployed

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

(Street name and number, directional)	Customer Address City Zip	Ketali Loop Flailliago Awares
	Barrier to access	
	Steps taken to remove barrier	

Wholesale Loop information Spreadsheet, page 1

RSAG Valid Address (Street name and number, directions)	Customer Address	State:
Ç	dress	
26	1	
oop exerus	CLL1 from which Reporting owned (Yes, party facility RRU	
Callbay Name	Reporting	
	Facility wholly owned (Yes,	
	If No, third party facility vendor	
	from Can serve If No. BellSouth on all at brdicate IRU basis location line #Re (Yes, No) (Yes, No) Pg 2	Dark Fiber
g	Can serve all at location (Yes, No)	
	if No. Indicate line # Ref, Pg 2	
	technically feasible point (Yes, No)	Access at
	DS1	Сара
	DS3	dty in-Servi
	Fibers	80
	DS1	Total Ca
	DS3	pacity Depl
	Fibers	oyed

Wholesale Loop Information Spreadsheet page 2
Wholesale Loop Premises Access

(Street name and number, directional)	Customer Address City Zip	AAII Ciegaio Foot
	Barrier to access	
	Steps taken to remove barrier	